

REMARKS

Reconsideration of the present application is respectfully requested in view of the following remarks. Prior to entry of this response, Claims 1-20 were pending in the application, of which Claims 1 and 13 are independent. In the Office Action dated September 16, 2003, Claims 1, 3, 5, 7, 8, 10-13, 15, 17, and 19 were rejected under 35 U.S.C. § 102(e) and Claims 2, 4, 6, 9, 14, 16, 18, and 20 were objected to, but were deemed allowable if rewritten in independent form including all the limitations of the base claim and any intervening claims. Following this response, Claims 1-20 remain in this application. Applicants hereby address the Examiner's rejections in turn.

I. **Rejection of the Claims Under 35 U.S.C. § 102(e)**

In the Office Action dated September 16, 2003, the Examiner rejected Claims 1, 3, 5, 7, 8, 10-13, 15, 17, and 19 under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,518,852 ("Kohama"). Applicants respectfully traverse this rejection.

Claim 1 is patentably distinguishable over the cited art in that it recites, for example, a control part which causes said fluorescent surface of said fluorescent body to be grounded and which applies a first negative potential to the entrance surface of said charged particle multiplying device. Similarly, Claim 13 is patentably distinguishable over the cited art in that it recites, for example, causing the fluorescent surface of said fluorescent body to be grounded and applying a first negative potential to the entrance surface of said charged particle multiplying device.

In contrast, *Kohama* at least does not disclose a control part that causes a fluorescent surface of a fluorescent body to be grounded and that applies a first

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negative potential to the entrance surface of a charged particle multiplying device. For example, *Kohama* merely discloses an electron beam inspection apparatus 10 comprising a detector 39 including an MCP (micro channel plate) plate 43 for accelerating an multiplying electrons and a TDI (time delay and integration) array CCD sensor 45 for picking up the optical images. (See col. 9, lines 5-10, and FIG. 1.) In *Kohama*, the disclosed electron beam does not include a control part that causes a fluorescent surface of a fluorescent body to be grounded and that applies a first negative potential to the entrance surface of a charged particle multiplying device, rather *Kohama* is completely silent regarding such a control part.

Kohama does not anticipate the claimed invention because *Kohama* at least does not disclose a control part which causes said fluorescent surface of said fluorescent body to be grounded and which applies a first negative potential to the entrance surface of said charged particle multiplying device, as recited by Claim 1. Independent Claim 13 includes a similar recitation. Accordingly, independent Claims 1 and 13 patentably distinguish the present invention over the cited art, and Applicants respectfully request withdrawal of this rejection of Claims 1 and 13.

Dependent Claims 3, 5, 7, 8, 10-12, 15, 17, and 19 are also allowable at least for the reasons above regarding independent Claims 1 and 13, and by virtue of their respective dependencies upon independent Claims 1 and 13. Accordingly, Applicants respectfully request withdrawal of this rejection of dependent Claims 3, 5, 7, 8, 10-12, 15, 17, and 19.

Moreover, Applicants respectfully request withdrawal of the objection to dependent Claims 2, 4, 6, 9, 14, 16, 18, and 20 at least for the reasons above regarding

independent Claims 1 and 13, and by virtue of their respective dependencies upon independent Claims 1 and 13.

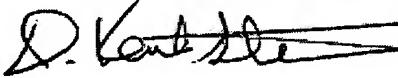
II. Conclusion

In view of the foregoing remarks, Applicants respectfully request the reconsideration and reexamination of this application and the timely allowance of the pending claims. The preceding arguments are based only on the arguments in the Office Action, and therefore do not address patentable aspects of the invention that were not addressed by the Examiner in the Office Action. The claims may include other elements that are not shown, taught, or suggested by the cited art. Accordingly, the preceding argument in favor of patentability is advanced without prejudice to other bases of patentability.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

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